

PATENT APPLICATION  
Attorney Docket No.: TRV00-0001-R-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF )  
Dennis R. Berman ) Examiner: Hu, Kang  
Application No.: 10/815,330 ) Group Art Unit: 3714  
Filing Date: March 31, 2004 ) Confirmation Number: 7529  
Title: LOCK-IN TRAINING SYSTEM )

**SUBMITTAL OF MATERIALS FROM CO-PENDING APPLICATIONS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Recently, the Federal Circuit, in *McKesson Information Solutions, Inc., v. Bridge Medical, Inc.* (2005-1517) affirmed a District Court's determination that a patent was unenforceable due to inequitable conduct. The inequitable conduct was based upon a patent attorney's nondisclosure of office actions from co-pending applications.

In light of *McKesson*, I have attached an office action from a co-pending application of the present application. You may or may not find this office action to be material to the present application.

Respectfully submitted,



Hoyt A. Fleming III  
Registration No. 41752

Date: August 23, 2007

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